

RESOLUTION NO. R-77-2009

A RESOLUTION CONCERNING CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1511 - FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD); FIXING THE TIME AND PLACE WHEN COMPLAINTS, PROTESTS, AND OBJECTIONS TO THE FINAL ASSESSMENT ROLL FOR THE DISTRICT WILL BE HEARD; PROVIDING FOR THE MANNER OF GIVING NOTICE OF THE HEARING ON THE FINAL ASSESSMENT ROLL; PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH; RATIFYING ALL ACTION TAKEN CONSISTENT WITH THE PROVISIONS HEREOF; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Summary: Public Hearing Notice

WHEREAS, the City Council of the City of Las Vegas in the County of Clark, State of Nevada, (hereinafter the "City Council" and the "City" respectively) pursuant to an ordinance heretofore adopted (hereinafter the "Creation Ordinance") created City of Las Vegas, Nevada, Special Improvement District No. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD) (hereinafter the "District") and ordered the acquisition of certain public improvements within the District (hereinafter the "Project"); and

WHEREAS, the City Council, by resolution heretofore adopted, has authorized the proper officers of the City to execute a construction contract on behalf of the City in accordance with NRS 271.335, for the Project, all as provided by law; and

WHEREAS, the City Council has heretofore determined that a portion of the cost and expense of the Project is to be paid by special assessments levied against the benefited lots, tracts and parcels of land in the District which the City Council has determined will receive special benefits (and corresponding market value increases) from the improvements in the Project; and

WHEREAS, NRS 271.360 provides that the City Council may determine the cost of the Project to be assessed after making the construction contract, or after determining the net cost to the City, but not necessarily after the completion of the Project; and

WHEREAS, in accordance with NRS 271.360, the City Council has determined and does hereby declare that the net cost to the City for the Project (including all necessary incidentals which either have been or will be incurred in connection with the District) is \$76,002.20, of which \$0.00 is available from other sources and \$76,002.20 is to be assessed upon the benefited lots, tracts and parcels of land in the District, which the City Council has determined will receive special benefits and corresponding market value increases from the Project; and

WHEREAS, the City Council by resolution heretofore adopted, directed the City Engineer (with the assistance of the City Engineer Division) to make out a final assessment roll; and

WHEREAS, the City Council, together with the City Engineer, made out a final assessment roll for the District which contains, among other things, the names and addresses of the last known owners of the property to be assessed, a description of each lot, tract, or parcel of land to be assessed, and the amount of the proposed assessment to be levied thereon. The City Engineer has reported the final assessment roll to the City Council and the City Engineer has prepared and filed the final assessment roll with the City Clerk; and

WHEREAS, the City Council has determined, and does hereby determine, that all of the assessable property in the City which is specially benefited by the improvements to be acquired in the District and only that property, which is so specially benefited, is included on the final assessment roll; and

WHEREAS, the City Council has also determined, and does hereby determine, that the notice for a hearing on the final assessment roll, which is provided for herein, is reasonably calculated to inform each interested person of the proceedings concerning the District, which may directly and adversely affect his or her legally protected rights and interests.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAS VEGAS IN THE COUNTY OF CLARK, IN THE STATE OF NEVADA; THAT:

Section 1. All actions, proceedings, matters, and things heretofore taken, had, and done by the City and the Officers thereof (not inconsistent with the provisions of this Resolution) concerning the District, be, and the same hereby are, ratified, approved and confirmed.

Section 2. A portion of the total cost of the District, to the City, including all necessary incidentals, which either have been or will be incurred in connection with the District, shall be paid by the assessable property in the District as designated in the Creation Ordinance. The total cost of the District shall be apportioned and the amount to be assessed shall be as follows:

Total Cost	Estimated Amount of Special Assessments	Amount Available from Other Sources
\$76,002.20	\$76,002.20	\$0.00

Section 3. The final assessment roll for the District has been examined by the City Council, is tentatively approved, and is ordered filed in the office of the City Clerk.

Section 4. Wednesday, November 18, 2009 at 9:00 A.M., at the City of Las Vegas Council Chambers, 400 Stewart Avenue, Las Vegas, Nevada, be, and the same hereby is, fixed as the date, time and place when the City Council will hear and consider complaints, protests and objections to the final assessment roll, to the amount of each of the assessments, and to the regularity of the proceedings in making such assessments (whether made verbally or in writing) by the owners of the assessable property specially benefited by the Project in "City of Las Vegas, Nevada, Improvement District No. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD)" and proposed to be assessed, or by any party or person interested, and by all parties or persons aggrieved by such assessments.

Section 5. The City Clerk shall give notice by publication in the Las Vegas Review-Journal, a newspaper of general circulation in the City and a newspaper of general circulation in the District. Such notice to be published at least once a week, for three consecutive publications, by three weekly insertions, the first such publication in said newspaper to be at least 15 days prior to the date of the protest hearing. It shall not be necessary that the notice be published on the same day of the week, but not less than 14 days shall intervene between the first publication in such newspaper and the last publication in the same newspaper. Service by publication shall be verified by the affidavit of the publishers and filed with the City Clerk. In accordance with NRS 271.380 (2), the City Clerk or Deputy City Clerk shall also give notice by registered or certified mail by depositing a copy of such notice in the United States mail, postage prepaid, as first-class mail, at least 20 days prior to such hearing, to the last known owner or owners of each tract being assessed at his or their last known address or addresses. Proof of mailing shall be made by the affidavit of the City Clerk or Deputy City Clerk and such proof shall be filed with the City Clerk, provided however, that failure to mail any such notice or notices shall not invalidate any assessment or any other proceedings concerning the District. Proof of the publication and proof of the mailing shall be maintained in the permanent records of the office of the City Clerk until all special assessments and special assessment bonds issued (if such special assessment bonds are hereafter issued) appertaining thereto, have been paid in full, both principal and interest, or any claim is barred by an appropriate statute of limitations. The City Council of City of Las Vegas hereby determines that the manner of giving notice herein provided by publication and by registered or certified mail is reasonably calculated to inform the parties of the proceedings concerning the District and the levying of assessments, which may directly and

adversely affect their legally protected interests. Such notice shall be provided in NRS 271.380 and shall be substantially in the following form:

(Start of Form)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2010-1 for City of Las Vegas, Nevada, Special Improvement District No. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD) (hereinafter the “District”) in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on October 21, 2009, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1511 Creation Ordinance heretofore adopted (hereinafter the “Creation Ordinance”). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

FARM ROAD (SOUTH SIDE) – between Virginia Dale Street and Tule Springs Road (80-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or “V” or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a "unit lot" basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. The property owner will be assessed for the cost of pavement section, curb, gutter, sidewalks, driveway approaches and streetlights, where not already existing. Property owners who have been conditioned, by initiation of development plans, by City Council to install half-street improvements have been assessed for a half-street pavement section. The owners of property who elect to have water or sewer installed will be assessed on a per service or unit lot method for the installation of sewer laterals or water laterals. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, November 18, 2009, at 9:00 a. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, November 13, 2009, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing;
and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in forty (40) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties, at the rate of two percent (2%) (or at any higher rate authorized by statute, or any

lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City for the assessments. A person desiring to apply for a hardship determination shall file an application no later than November 13, 2009, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this ____ day of _____, 20__.

BEVERLY K. BRIDGES, CMC
City Clerk

(End of Form)

Section 6. The owner or owners of any lot, tract or parcel of land which is assessed in such final assessment roll, whether named or not in such roll, or any person interested, or any parties aggrieved, may, within three (3) days prior to the date set for the hearing, file with the office of the City Clerk his or her complaints, protests, or objections in writing to said assessment.

Section 7. Whenever any notice is mailed as herein provided, the fact that the person to whom it was addressed does not receive it shall not in any manner invalidate or affect the legality of the notice thereby given.

Section 8. The officers of the City be, and they hereby are, authorized and directed to take all action necessary or appropriate to effectuate the provisions of this Resolution.

Section 9. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed to revive any resolution or part of any resolution heretofore repealed.

Section 10. If any section, paragraph, clause, or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall in no way affect any remaining provisions of this Resolution.

Section 11. The City Council has determined, and does hereby declare, that this Resolution shall be in effect immediately after its passage in accordance with law.

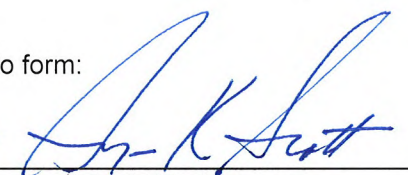
PASSED and APPROVED on October 21, 2009.


~~OSCAR B. GOODMAN, Mayor~~
Gary Reese, Mayor Pro-Tem

Attest:


BEVERLY K. BRIDGES, CMC
City Clerk

Approved as to form:

10/27/09 
Date Assistant City Attorney

STATE OF NEVADA)
)
COUNTY OF CLARK) ss
)
CITY OF LAS VEGAS)

I, Beverly K. Bridges, CMC, the duly chosen and qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on October 21, 2009.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

Those Voting Aye:	Gary Reese Steve Wolfson Lois Tarkanian Steven D. Ross Ricki Y. Barlow Stavros S. Anthony
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Those Voting Nay:	None
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Those Absent:	Oscar Goodman
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3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the City Council, or if there is no principal office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board
City Hall Plaza
2nd Floor Skybridge
Las Vegas, Nevada
- (ii) Bulletin Board
City Hall Plaza (next door to Metro Records)
Las Vegas, Nevada
- (iii) Las Vegas Library
833 Las Vegas Boulevard North
Las Vegas, Nevada
- (iv) Clark County Government Center
500 South Grand Central Parkway
Las Vegas, Nevada
- (v) Grant Sawyer Building
555 E. Washington Avenue
Las Vegas, Nevada
- (vi) The City of Las Vegas website

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

5. Upon request, the City Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the City Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of such notice so given of the meeting of the City Council on October 21, 2009 is attached to this certificate as Exhibit "A". A copy of the affidavit of publication of the Notice of Public Hearing is attached hereto as Exhibit "B", and a copy of the minutes of the public hearing held on November 18, 2009, is attached hereto as Exhibit "C".

IN WITNESS WHEREOF, I have hereunto set my hand on this 21st day of OCTOBER, 2009.

(SEAL)



BEVERLY K. BRIDGES, CMC
City Clerk

Exhibit "A"

(Attach Notice of Meeting and Agenda)



CITY COUNCIL AGENDA

COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011

CITY OF LAS VEGAS INTERNET ADDRESS: www.lasvegasnevada.gov

COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large)

COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)

STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)

RICKI Y. BARLOW (Ward 5), STAVROS S. ANTHONY (Ward 4)

Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

October 21, 2009

Morning Session begins at 9:00 a.m.

Afternoon Session begins at 1:00 p.m.

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

CEREMONIAL MATTERS

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION – PASTOR RICHARD BOX, LIVING GRACE CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF THE EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE SENIOR OF THE QUARTER
7. RECOGNITION OF THE ARMY COMMUNITY COVENANT
8. RECOGNITION OF THE CLARK HIGH SCHOOL ROTC PROGRAM
9. RECOGNITION OF THE BATTERIES INCLUDED PROGRAM

BUSINESS ITEMS - MORNING

10. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
11. Approval of the Final Minutes by reference of the regular City Council meeting of September 16, 2009 and the Special City Council meeting of September 21, 2009

CONSENT AGENDA

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

ADMINISTRATIVE - CONSENT

12. Approval of ratification of a Office District Parking I, Inc., Resolution approving the quitclaim deed to transfer approximately 5,258 square feet of real property located at Symphony Park, 100 South Grand Central Parkway, from Office District Parking I, Inc., to City Parkway IV A, Inc., approving the assignment and assumption of all related contracts and obligations, and providing for all other matters properly related thereto (APN 139-34-110-002) - Ward 5 (Barlow) [NOTE: This item is related to Council Item 13]
13. Approval of ratification of a City Parkway IV A, Inc., Resolution accepting the quitclaim deed of the transfer of approximately 5,258 square feet of real property located at Symphony Park, 100 South Grand Central Parkway, from Office District Parking I, Inc., to City Parkway IV A, Inc., approving and accepting the assignment and assumption of all related contracts and obligations, and providing for all other matters properly related thereto (APN 139-34-110-002) - Ward 5 (Barlow) [NOTE: This item is related to Council Item 12]

BUSINESS DEVELOPMENT - CONSENT

14. Approval of a grant award in the amount of \$300,000 from the Nevada Commission for Cultural Affairs to the City of Las Vegas for rehabilitation of the historic Federal Building-United States Post Office for reuse as the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue - Ward 5 (Barlow)

FIELD OPERATIONS - CONSENT

15. Approval of a Cable Easement from the City of Las Vegas to Central Telephone Company d/b/a Embarq to allow Embarq access to the site for cable systems needs located in the vicinity of Iron Mountain Road and Conough Lane known as Floyd Lamb Park at Tule Springs, APN 125-04-301-005 - Ward 6 (Ross)
16. Approval of a Cable Easement from the City of Las Vegas to Central Telephone Company d/b/a Embarq to allow Embarq access to the site for cable systems needs located along Iron Mountain Road, known as Floyd Lamb Park at Tule Springs, APN 125-04-301-005 - Ward 6 (Ross)

FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT

17. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT

18. Approval of a Special Event Alcoholic Beverage License for St. Francis de Sales Catholic Church, Location: St. Francis de Sales Catholic Church, 1111 Michael Way, Date: October 25, 2009, Type: Special Event Alcoholic Beverage, Event: 7th Annual Carnival/Festival, Responsible Person in Charge: Maggie Guerra - Ward 5 (Barlow)

19. Approval of a Change of Business Name and Change of Ownership for a Tavern License, From: Sun City Summerlin Community Association, Inc., dba The Summit Restaurant at Sun City Summerlin, To: Chef's Pantry, Ltd., dba Chef's Pantry Cafe, 2215 Thomas W Ryan Boulevard, Leonard D. Tempelman, Managing Mmbr, 50% and Donna S. Tempelman, Managing Mmbr, 50% - Ward 4 (Anthony)
20. Approval of a new Liquor Caterer License, Chef's Pantry, Ltd., dba Chef's Pantry Cafe, 2215 Thomas W Ryan Boulevard, Leonard D. Tempelman, Managing Mmbr, 50% and Donna S. Tempelman, Managing Mmbr, 50% - Ward 4 (Anthony)
21. Approval of an extension of a Temporary Supper Club License for a Change of Business Name, Change of Location, and Change of Ownership, From: Galerias Las Vegas, LLC, dba Galerias (Non-operational), To: Firefly Downtown, LLC, dba Firefly Kitchen & Bar, 1 South Main Street, John Simmons, Mgr, 100% - Ward 5 (Barlow)
22. Approval of a new Beer/Wine/Cooler On-sale License, Cajun Connection, LLC, dba Lola's, 241 West Charleston Boulevard, Suite 101, Lola Pokorny, Mgr, 100% - Ward 3 (Reese)
23. Approval of a new Massage Establishment License, Lisa M. Bennett, DC, PC, dba Family Care Chiropractic, 7720 West Sahara Avenue, Suite 104, Lisa Bennett, Pres, Secy, Treas, 100% - Ward 1 (Tarkanian) [NOTE: This is an ancillary license to an existing chiropractic business - Family Care Chiropractic]
24. Approval of an extension of a new Temporary Massage Establishment License subject to the provisions of the planning and fire codes, Colarusso & Nozawa, Ltd., dba The Las Vegas Chiropractic Group, 9010 West Cheyenne Avenue, Sam Colarusso, Pres, 50% and Kevin Nozawa, Secy, 50% - Ward 4 (Anthony) [NOTE: This is an ancillary license to an existing chiropractic business - The Las Vegas Chiropractic Group]
25. Approval of a Special Event Alcoholic Beverage License for God's Art Gallery, Location: 1302 South 3rd Street, Dates: October 23, 31, November 6, and December 4, 2009, Type: Special Event General, Event: Halloween Art Show & First Friday, Responsible Person in Charge: Hans Cewe - Ward 3 (Reese)

FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT

26. Approval of award of Agreement No. 100035-DC, Design Services Agreement for Durango Hills WRC Process Upgrades at Water Resource Center located at 8551 West Gowan Road - Department of Public Works - Award recommended to: MWH AMERICAS, INC (\$1,650,538 - Sanitation Enterprise Fund) - Ward 4 (Anthony)
27. Approval of award of Bid No. 09.1730.10-DC, Oakey Meadows Storm Drain Phase 1, Charleston Boulevard to the Meadows Detention Basin located in Hinson Street, Hyde Park Middle School, Fulton Place, Valley View Boulevard, Alta Drive and the Springs Preserve and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works - Award recommended to: MEADOW VALLEY CONTRACTORS, INC. (\$10,982,831.50 - Road and Flood Capital Projects Fund) - Ward 1 (Tarkanian)
28. Approval of award of Agreement No. 100027-TF, Homelessness Prevention Rapid Re-housing Program - Department of Neighborhood Services - Award recommended to: MOJAVE MENTAL HEALTH CLINIC (\$300,000 - Housing and Urban Development Special Revenue Fund) - All Wards

FIRE & RESCUE - CONSENT

29. Approval of an Agreement between the City of Las Vegas and the City of Ely regarding the disposition of a surplus City of Las Vegas rescue unit to the City of Ely - All Wards

NEIGHBORHOOD SERVICES - CONSENT

30. Approval of an agreement with Fannie Mae Office of Community and Charitable Giving to receive \$75,000 in grant funds to support the City of Las Vegas foreclosure prevention efforts - All Wards

PUBLIC WORKS - CONSENT

31. Approval of an Encroachment Request from T. Cupp & Associates, LLC, on behalf of Regional Transportation Commission of Southern Nevada, owner (Grand Montecito Parkway north of Elkhorn Road) - Ward 6 (Ross)

32. Approval of a Rule 9 Non-Refundable Construction Agreement between the City of Las Vegas and Nevada Power Company d/b/a NV Energy for the relocation of utilities for the Jones Boulevard Improvements project - Elkhorn Road to Horse Drive (\$6,417 - Regional Transportation Commission [RTC]) - Ward 6 (Ross)
33. Approval of a Rule 9 Line Extension Agreement with Nevada Power Company d/b/a NV Energy for the electric utility related construction activities included in the Horse Drive/US-95 Interchange project (Credit of \$250,460 - Regional Transportation Commission [RTC]) - Ward 6 (Ross)
34. Approval of a Non-Refundable Contribution in Aid of Construction (CIAC) Agreement with Nevada Power Company d/b/a NV Energy for the relocation of power facilities for the North and South Environmental Enhancement Areas at Floyd Lamb Park between Racel Street and Maggie Avenue (\$225,768 - Clark County Regional Flood Control District [CCRFCD]) - Ward 6 (Ross)

RESOLUTIONS - CONSENT

35. R-76-2009 - Approval of a Resolution Determining the Cost and Directing the City Engineer to prepare the Final Assessment Roll for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) (\$76,002.20 - Capital Projects Fund - Special Assessments) - Ward 6 (Ross)
36. R-77-2009 - Approval of a Resolution fixing the time and place when complaints, protests, and objections to the final assessment roll will be heard for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) (\$76,002.20 - Capital Projects Fund - Special Assessments) - Ward 6 (Ross)

DISCUSSION/ACTION ITEMS

HEARINGS - DISCUSSION

37. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 1804 Collins Avenue in the amount of \$5,554 (General Fund) and assess a maximum of \$168,200 in daily civil penalties. PROPERTY OWNER: FINANCIAL FREEDOM S F C - Ward 5 (Barlow)
38. ABEYANCE ITEM - Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 1701 South Las Vegas Boulevard. PROPERTY OWNER: WIENS MAYNARD J JR ETAL - Ward 3 (Reese)

ADMINISTRATIVE - DISCUSSION

39. Discussion and possible action on the ratification of William Arent as the Director of the Office of Business Development (\$131,000 annual salary + benefits - General Fund)
40. Discussion and possible action regarding the City's involvement in and support of the V.F.W. Post 1753 2009 Veteran's Day Parade, requested amount of support \$10,064.00 - All Wards

CITY ATTORNEY - DISCUSSION

41. Discussion and possible action regarding approval of complaint seeking disciplinary action against Admistca, Inc., a Nevada corporation; William L. Jacobs and Adela Jacobs, individuals and officers of Admistca, Inc., all doing business as Paradise Lounge, 530 South Martin Luther King Boulevard, Las Vegas, Clark County, Nevada, for violations of the Las Vegas Municipal Code - Ward 5 (Barlow)

FINANCE & BUSINESS SERVICES - ADMINISTRATION DISCUSSION

42. ABEYANCE ITEM - Report on Purchasing and Contracts Bid Processes

FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION

43. Discussion and possible action regarding a Change of Business Name, Change of Location and Change of Ownership for a Supper Club License subject to the provisions of the fire code and Health Department regulations, From: Props Mongolian Grill, LLC, dba Props Mongolian Grill, LLC (Non-operational), Nicholas S. Kalair, Mmbr, 100%, To: Maharaja Palace, LLC, dba Maharaja Palace, 2000 South Rainbow Boulevard, Suites 108 & 110, Jit R. Mann, Managing Mmbr, 50% and Nirmal Mann, Managing Mmbr, 50% - Ward 1 (Tarkanian) [NOTE: Item to be heard in the afternoon session in conjunction with Item 82 - EOT-35880]

44. Discussion and possible action regarding a Change of Location for a Class II Secondhand Dealer License subject to the provisions of the planning and fire codes, Olena Golosna, dba Kid Around, From: 6338 West Sahara Avenue, To: 6360 West Sahara Avenue, Olena Golosna, Owner, 100% - Ward 1 (Tarkanian) [NOTE: Item to be heard in the afternoon session in conjunction with Item 81 - SUP-35541]

BOARDS & COMMISSIONS - DISCUSSION

45. COMMUNITY DEVELOPMENT RECOMMENDING BOARD – Anthony Bruges, Term Expired 7/3/2009

RECOMMENDING COMMITTEE REPORT - DISCUSSION

BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

46. Bill No. 2009-40 - Prohibits the parking of a mobile billboard within five hundred feet of a single-family dwelling.
Sponsored by: Councilman Gary Reese

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

47. Bill No. Z-2009-2 – Amends the City’s Official Zoning Map Atlas by changing the zoning designations of certain parcels of land. Proposed by: M. Margo Wheeler, Director of Planning and Development
48. Bill No. 2009-41 – Revises the hillside development standards and guidelines to reflect their applicability to nonresidential development. (TXT-34891) Sponsored by: Councilman Stavros S. Anthony
49. Bill No. 2009-42 – Amends the Downtown Centennial Plan to allow certain alcohol-related uses within the Parkway Center District by means of special use permit. (TXT-34880) Sponsored by: Mayor Oscar B. Goodman
50. Bill No. 2009-43 – Temporarily allows the sale of used motor vehicles in Town Center without the requirement that the use be incidental to new vehicle sales. (TXT-34717) Sponsored by: Councilman Steven D. Ross

NEW BILLS - DISCUSSION

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

51. Bill No. 2009-44 – Requires that dogs and cats over the age of four months be spayed or neutered, except under specified circumstances, and requires the microchipping of dogs and cats before they can be recovered from impound or adopted.
Sponsored by: Councilman Steven D. Ross

1:00 P.M. - AFTERNOON SESSION

BUSINESS ITEMS - AFTERNOON

52. Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

PLANNING & DEVELOPMENT

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

PLANNING & DEVELOPMENT - CONSENT

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

53. EOT-35956 - EXTENSION OF TIME - VARIANCE - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of a previously approved Variance (VAR-33415) TO ALLOW A 10-FOOT HIGH WALL WHERE EIGHT FEET IS THE MAXIMUM HEIGHT ALLOWED ALONG A PORTION OF THE NORTH AND EAST PROPERTY LINE; TO ALLOW UNFINISHED BLOCK WHERE DECORATIVE BLOCK WITH 20% CONTRASTING MATERIALS IS REQUIRED; AND TO ALLOW AN EIGHT-FOOT HIGH WROUGHT IRON FENCE ALONG THE SOUTH PERIMETER WHERE FIVE FEET IS THE MAXIMUM ALLOWED on 20.53 acres at 1726 West Bonanza Road (APN 139-28-302-034), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
54. EOT-35945 - EXTENSION OF TIME - VARIANCE - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of a previously approved Variance (VAR-14320) TO ALLOW A SETBACK OF 73 FEET WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A MINIMUM 84-FOOT SETBACK, AND TO ALLOW A ZERO-FOOT SIDE YARD BUILDING SETBACK WHERE 10 FEET IS THE MINIMUM SETBACK REQUIRED IN CONJUNCTION WITH A RENTAL STORE WITH OUTSIDE STORAGE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
55. EOT-35950 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-14329) FOR AN AUTO REPAIR GARAGE, MAJOR on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
56. EOT-35951 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-14324) FOR A TRUCK RENTAL ESTABLISHMENT on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
57. EOT-35952 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: DON F. AHERN - OWNER: DFA, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-13836) FOR A RENTAL STORE WITH OUTSIDE STORAGE on 20.53 acres at the northeast corner of Bonanza Road and Clarkway Drive (APN 139-28-302-034), C-2 (General Commercial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL
58. EOT-35957 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: DON F. AHERN - OWNER: DON & PAUL, LLC - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-22205) TO ALLOW FOR 36,900 SQUARE FEET OF LIGHT MANUFACTURING, 80,000 SQUARE FEET OF LIGHT ASSEMBLY AND FABRICATION, 22,000 SQUARE FEET OF AUTO REPAIR GARAGE (MAJOR), AND 16,500 SQUARE FEET OF OFFICE SPACE WITH A WAIVER OF PERIMETER LANDSCAPE REQUIREMENTS TO ALLOW A ZERO FOOT WIDE BUFFER WHERE EIGHT FEET IS REQUIRED ALONG THE EAST, WEST, AND SOUTH PROPERTY LINES on 9.77 acres on the south side of Bonanza Road approximately 550 feet west of Martin L. King Boulevard (APN 139-28-412-001), C-M (Commercial/Industrial) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

59. EOT-35842 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: MCKELLAR DEVELOPMENT GROUP, INC - OWNER: NWHII, LTD - Request for an Extension of Time of a previously approved Special Use Permit (SUP-23106) FOR A PROPOSED 126-ROOM HOTEL located on the east side of Tenaya Way, approximately 530 feet north of Peak Drive (APN 138-15-612-012 and 013), C-PB (Planned Business Park) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
60. EOT-35843 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: MCKELLAR DEVELOPMENT GROUP, INC. - OWNER: NWHII, LTD - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-23105) FOR A PROPOSED FOUR-STORY, 126-ROOM HOTEL on 2.4 acres on the east side of Tenaya Way, approximately 530 feet north of Peak Drive (APN 138-15-612-012 and 013), C-PB (Planned Business Park) Zone, Ward 1 (Tarkanian). Staff recommends APPROVAL
61. EOT-35835 - EXTENSION OF TIME - SPECIAL USE PERMIT - APPLICANT: FRESH & EASY NEIGHBORHOOD MARKET - OWNER: PECOS PARTNERS, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-23593) FOR A PROPOSED RETAIL ESTABLISHMENT WITH ACCESSORY PACKAGED LIQUOR OFF-SALE located on 2.67 acres located at 3489 East Owens Avenue (APN 139-25-516-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese). Staff recommends APPROVAL
62. WVR-36299 - WAIVER - NON-PUBLIC HEARING - APPLICANT/OWNER: KEEP MEMORY ALIVE - Request for a Waiver of the Union Park Design Standards TO ALLOW WALL SIGNAGE ONE FOOT BELOW THE TOP OF THE BUILDING PARAPET WHERE TWO FEET IS REQUIRED on 2.09 acres at the northeast corner of Grand Central Parkway and Bonneville Avenue (APN 139-33-610-024), PD (Planned Development) Zone, Ward 5 (Barlow). Staff recommends APPROVAL

PLANNING & DEVELOPMENT - DISCUSSION

63. VAR-32640 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW 119 PARKING SPACES WHERE 146 ARE REQUIRED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
64. VAR-33015 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-32640 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW A 10-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 132 FEET AND TO ALLOW A LOT COVERAGE OF 82% WHERE 50% IS THE MAXIMUM PERMITTED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
65. SUP-32639 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-32640 AND VAR-33015 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Special Use Permit FOR A PROPOSED SENIOR CITIZEN APARTMENT COMPLEX WITH A WAIVER TO ALLOW APARTMENTS ON THE GROUND FLOOR WHERE NONE ARE PERMITTED adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL
66. SDR-32638 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-32640, VAR-33015, AND SUP-32639 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 44-FOOT TALL, 151-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH 5,460 SQUARE FEET OF COMMERCIAL SPACE on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL

67. RQR-35347 - ABEYANCE ITEM - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MARIO PENA PENA - Request for a previously approved Special Use Permit (SUP-31367) FOR AN AUTO REPAIR GARAGE, MINOR WITH SERVICE BAY DOORS FACING THE RIGHT-OF-WAY at 1550 North Rancho Drive (APN 139-29-112-120), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL
68. SDR-34469 – ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CARDAN LINDELL NORTH, LLC - Request for a Major Amendment to an approved Site Development Plan Review (SDR-4551) FOR THE ADDITION OF VEHICLE DISPLAY PARKING SPACES; PARKING LOT SHADE STRUCTURES; FACADE RENOVATIONS; AND TWO PORTE COCHERES ADJACENT TO THE SOUTH AND EAST SIDES OF THE BUILDING AT AN EXISTING MOTOR VEHICLE SALES (NEW) FACILITY on 4.01 acres at 5550 West Sahara Avenue (APN 163-01-404-022), C-2 (General Commercial) and P-R (Professional Office and Parking) Zones, Ward 1 (Tarkanian). The Planning Commission (4-3 vote) and staff recommend APPROVAL
69. GPA-34792 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: MXU (MIXED USE) TO: LI/R (LIGHT INDUSTRY/RESEARCH) on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
70. ZON-34793 - REZONING RELATED TO GPA-34792 - PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: C-M (COMMERCIAL/INDUSTRIAL) on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
71. SDR-34794 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34792 AND ZON-34793 – PUBLIC HEARING - APPLICANT/OWNER: GEORGE T. LOPEZ - Request for a Site Development Plan Review TO ESTABLISH A CONTRACTOR'S PLANT, SHOP AND STORAGE YARD WITHIN AN EXISTING 4,279 SQUARE-FOOT OFFICE AND WAREHOUSE DEVELOPMENT WITH PERIMETER RAZOR WIRE on 0.97 acres at 2222 West Bonanza Road (APN 139-29-704-026), C-1 (Limited Commercial) Zone [PROPOSED: C-M (Commercial/Industrial)], Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
72. VAR-35543 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: KEITH AND DIANE PONSTEIN - Request for a Variance TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 15 FEET IS REQUIRED FOR AN EXISTING ADDITION TO A SINGLE FAMILY RESIDENCE on 0.17 acres at 5520 Rock Creek Lane (APN 125-36-110-042), R-1 (Single Family Residential) Zone, Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
73. VAR-35557 - VARIANCE - PUBLIC HEARING - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: SILVER SKY TWO, LP - Request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND TO ALLOW A FIVE-FOOT REAR YARD SETBACK WHERE 20 FEET IS REQUIRED on 4.72 acres adjacent to the north side of Silver Sky Drive, approximately 500 feet east of Roland Wiley Drive (APN 138-28-401-019), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
74. SDR-35554 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35557 - PUBLIC HEARING - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: SILVER SKY TWO, LP - Request for a Site Development Plan Review FOR A PROPOSED TWO-STORY, 40-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT WITH A 4,520 SQUARE-FOOT RECREATION BUILDING WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE NORTH, WEST AND EAST PERIMETER WHERE SIX FEET IS REQUIRED AND A ZERO-FOOT BUFFER ALONG A PORTION OF THE SOUTH PERIMETER WHERE 15 FEET IS REQUIRED on 4.72 acres adjacent to the north side of Silver Sky Drive, approximately 500 feet east of Roland Wiley Drive (APN 138-28-401-019), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
75. VAR-35555 - VARIANCE - PUBLIC HEARING - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: SILVER SKY TWO, LP - Request for a Variance TO ALLOW A 79-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 136 FEET on 4.72 acres adjacent to the north side of Silver Sky Drive, approximately 500 feet east of Roland Wiley Drive (APN 138-28-401-019), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend APPROVAL

76. SDR-35552 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-35555 - PUBLIC HEARING - APPLICANT: NEVADA H.A.N.D., INC. - OWNER: SILVER SKY TWO, LP - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 80-UNIT SENIOR CITIZEN APARTMENT DEVELOPMENT WITH A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG PORTIONS OF THE SOUTH PERIMETER WHERE SIX FEET IS REQUIRED on 4.72 acres adjacent to the north side of Silver Sky Drive, approximately 500 feet east of Roland Wiley Drive (APN 138-28-401-019), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson). The Planning Commission (6-0 vote) and staff recommend APPROVAL
77. SUP-35420 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: AUTO ZONE, INC. - Request for a Special Use Permit FOR A PROPOSED AUTO PARTS (ACCESSORY SALES & SERVICE) USE at 4930 Vegas Drive (APN 138-24-804-016), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL
78. SDR-35419 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-354520 - PUBLIC HEARING - APPLICANT/OWNER: AUTO ZONE, INC. - Request for a Site Development Plan Review FOR A PROPOSED 5,900 SQUARE-FOOT ADDITION TO AN EXISTING 8,928 SQUARE-FOOT AUTO PARTS STORE on 1.78 acres at 4930 Vegas Drive (APN 138-24-804-016), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). The Planning Commission (6-0 vote) and staff recommend APPROVAL
79. SUP-35468 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: VERIZON WIRELESS, INC. - OWNER: TEDDY ENTERPRISES, LP. - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR THE INSTALLATION OF NINE ANTENNAS ON AN EXISTING 110-FOOT WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN, AT A MAXIMUM HEIGHT OF 112 FEET at 3441 West Sahara Avenue (APN 162-08-110-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (5-1 vote) and staff recommend DENIAL
80. SUP-35509 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: TOTAL WINE & MORE - OWNER: BOCA FASHION VILLAGE, L.L.C. - Request for a Special Use Permit FOR A PROPOSED 26,691 SQUARE-FOOT PACKAGE LIQUOR OFF-SALE ESTABLISHMENT at 730 South Rampart Boulevard (APN 138-32-312-008), PD (Planned Development) Zone, Ward 2 (Wolfson). The Planning Commission (5-1 vote) and staff recommend APPROVAL
81. SUP-35541 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: KID AROUND - OWNER: WEST SAHARA ASSOCIATES - Request for a Special Use Permit FOR A PROPOSED 2,700 SQUARE-FOOT SECONDHAND DEALER (CHILDRENS ACCESSORIES) USE at 6360 West Sahara Avenue (APN 163-02-816-001), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). NOTE: To be heard in conjunction with Morning Session Item 44. The Planning Commission (6-0 vote) and staff recommend APPROVAL
82. EOT-35880 - EXTENSION OF TIME - SPECIAL USE PERMIT - NON-PUBLIC HEARING - APPLICANT: JIT & NIRMAL MANN - OWNER: RECEIVERSHIP ESTATE OF AMAPOLA ORANGE, LLC - Request for an Extension of Time of a previously approved Special Use Permit (SUP-22251) FOR A PROPOSED SUPPER CLUB WITH A WAIVER TO ALLOW 152 FEET SEPARATION FROM A CHILD CARE FACILITY WHERE 400 FEET IS REQUIRED at 2000 South Rainbow Boulevard, Suite 108-110 (APN 163-02-313-011), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). Note: The item to be heard in conjunction with Morning Session Item 43. Staff recommends APPROVAL

SET DATE

83. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

CITIZENS PARTICIPATION

84. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

COUNCIL MEMBER RECOGNITION

85. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Bulletin Board, City Hall Plaza, (next door to Metro Records)
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

Exhibit "B"

(Attach Affidavit of Publication of Notice of Public Hearing)

AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2009 NOV 30 P 1:54

STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

5776394

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 1 edition(s) of said newspaper issued from 11/02/2009 to 11/02/2009, on the following days:

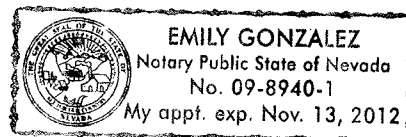
11/02/2009

Signed: _____

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

3rd day of Nov., 2009.

Notary Public



AFFP DISTRICT COURT
Clark County, Nevada

RECEIVED
CITY CLERK

AFFIDAVIT OF PUBLICATION

2009 NOV 30 P 1:53

STATE OF NEVADA)
COUNTY OF CLARK) SS:

STACEY M. LEWIS, being 1st duly sworn, deposes and says: That she is the Legal Clerk for the Las Vegas Review-Journal and the Las Vegas Sun, daily newspapers regularly issued, published and circulated in the City of Las Vegas, County of Clark, State of Nevada, and that the advertisement, a true copy attached for,

LV CITY CLERK

2296311LV

5778788

was continuously published in said Las Vegas Review-Journal and / or Las Vegas Sun in 2 edition(s) of said newspaper issued from 11/09/2009 to 11/16/2009, on the following days:

11/09/2009

11/16/2009

Signed: Stacey M. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS, THE

16th day of November, 2009.

Linda Espinoza
Notary Public

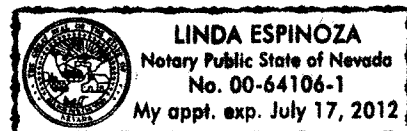


Exhibit "C"

(Attach minutes of public hearing on November 18, 2009)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: NOVEMBER 18, 2009

DEPARTMENT: PUBLIC WORKS

DIRECTOR: JORGE CERVANTES

☐ Consent ☒ Discussion

SUBJECT:

Public Hearing on local improvement district for Special Improvement District No. 1511 - Farm Road (Virginia Dale Street to Tule Springs Road) (\$76,002.20 - Capital Projects Fund - Special Assessments) - Ward 6 (Ross)

Fiscal Impact

☐
☒

No Impact

☐ Augmentation Required

Budget Funds Available

Amount: \$76,002.20

Funding Source: Capital Projects Fund - Special Assessments

Dept./Division: Public Works/SID

PURPOSE/BACKGROUND:

Public hearing on the Final Assessment Roll for the installation of pavement, curb and gutter, sidewalks, driveway approaches and street lights.

RECOMMENDATION:

Public hearing only; no action required.

BACKUP DOCUMENTATION:

Public Hearing Notice

Minutes:

No motion required. A public hearing was held.

MAYOR GOODMAN declared the Public Hearing open.

CHERI EDELMAN, Deputy Director, Public Works, summarized the project entirely funded by this improvement district. The district involves only a single property owner who has been fully informed as to the project.

No one appeared to speak on the item.

MAYOR GOODMAN declared the Public Hearing closed.

STATE OF NEVADA
CITY OF LAS VEGAS

)
) ss.
)

AFFIDAVIT OF MAILING
NOTICE OF HEARING

Beverly K. Bridges does hereby swear, upon oath according to law:

1. I am and at all times hereinafter mentioned was the duly qualified and sworn City Clerk of the City of Las Vegas, Nevada.

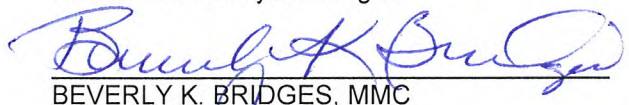
2. I mailed or caused to be mailed a notice entitled "NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD)" by deposit in the United States mail, postage prepaid, as first-class mail, at the post office in the City of Las Vegas, Nevada, on October 27, 2009, being at least twenty (20) days prior to the hearing, on November 18, 2009 to the last known address of each last known owner of land within the District whose property will be assessed for the cost of the improvements, such addresses and owners being those appearing on the records of the County Assessor of Clark County, Nevada, and from such other sources as I, the City of Las Vegas and Public Works Department, deemed to be reliable.

3. A list of said owners and their addresses is hereto attached, marked Exhibit A and made a part hereof, all addresses therein being situate within the City of Las Vegas, Nevada, unless otherwise indicated, such names and addresses being the same as those shown on the "Tabulation of Parcels" or "Final Assessment Roll".

4. There is attached hereto, marked Exhibit B and made a part hereof, a full, true and correct copy of the notice as mailed as herein described.

5. Copies of the affidavit of publication of said notice, verified by the affidavit of the publisher, and a copy of this affidavit are on file in the office of the City Clerk.

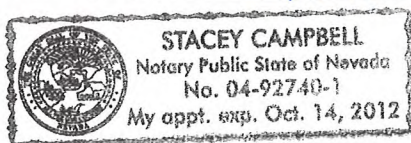
Further Affiant sayeth naught.


BEVERLY K. BRIDGES, MMC
City Clerk

SUBSCRIBED and SWORN to before me in the City of Las Vegas, Nevada, this 2nd day of December, 2009.

My commission expires

10/14/2012




Notary Public

EXHIBIT "A"

(Attach List of Property Owners with Their Addresses)

City of Las Vegas
** ASSESSMENT ROLL **
Special Improvement District No. 1511
Farm Road -- (Virginia Dale Street to Tule Springs Road)

Page 2
Date 10/20/2009

FINAL ASSESSMENT ROLL 2009-03

PARCEL NUMBER	DESCRIPTION	PRIMARY PROPERTY OWNER	MARKET VALUE	ESTIMATED MAX BENEFIT	ASSESSMENT TOTAL
125-16-301-003	DOC: 20040206:00833 DATE: 2004/02/06 Parcel Map File 60 Page 25 Lot 3	Bergsrud Rhonda 8311 Farm Road Las Vegas NV 89131-4606	\$907,974.00	\$95,000.00	\$76,002.20

FINAL ASSESSMENT TOTAL: \$ 76,002.20

EXHIBIT "B"

(Attach Notice of Hearing as Mailed)

NOTICE OF THE FILING OF FINAL ASSESSMENT ROLL, OF THE OPPORTUNITY TO FILE WRITTEN COMPLAINTS, PROTESTS, OR OBJECTIONS, AND OF THE ASSESSMENT HEARING, ALL CONCERNING THAT CERTAIN AREA TO BE ASSESSED FOR IMPROVEMENTS WITHIN THE CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD).

NOTICE IS HEREBY GIVEN, that the Final Assessment Roll No. 2010-1 for City of Las Vegas, Nevada, Special Improvement District No. 1511 – FARM ROAD (VIRGINIA DALE STREET TO TULE SPRINGS ROAD) (hereinafter the “District”) in and for the City of Las Vegas in the County of Clark, State of Nevada, which has been made out by the City Council of City of Las Vegas, together with the City Engineer, has been filed on October 21, 2009, in the office of the City Clerk and since such date, the final assessment roll has been, and now is available for examination by any interested person during regular office hours, Monday through Friday 8:00 a.m. until 5:00 p.m. The boundaries of the District are described in the Special Improvement District No. 1511 Creation Ordinance heretofore adopted (hereinafter the “Creation Ordinance”). The boundaries of the District, which include the location of the Project and the lots, tracts and parcels of land to be assessed, shall be the exterior boundary of each parcel of property fronting a street to be improved by the improvements (as described below) or fronting a cul-de-sac which abuts or fronts a street to be improved by the improvements. The streets to be improved by the improvements are:

FARM ROAD (SOUTH SIDE) – between Virginia Dale Street and Tule Springs Road (80-foot right-of-way)

The amounts to be assessed for the improvements in the District will be levied upon all tracts in the District, i.e., upon all abutting tracts in proportion to the special benefits derived (as shown by the estimated benefits and corresponding market value increases) provided, however, that an equitable adjustment will be made for assessments to be levied against wedge or “V” or other irregularly-shaped lots or tracts of lands, if any, and for any lot, tract or parcel not specially benefited by the improvements so that assessments according to benefits are to be equal and uniform.

The assessments will be levied on a front foot basis, provided those tracts which front a cul-de-sac and which abut or front a street or streets being improved will be assessed on a “unit lot” basis, i.e., all lots abutting the cul-de-sac are to be assessed the same amount based upon the front footage of those lots abutting the streets or streets being improved which also abut the cul-de-sac. The property owner will be assessed for the cost of pavement section, curb, gutter, sidewalks, driveway approaches and streetlights, where not already existing. Property owners who have been conditioned, by initiation of development plans, by City Council to install half-street improvements have been assessed for a half-street pavement section. The owners of property who elect to have water or sewer installed will be assessed on a per service or unit lot method for the installation of sewer laterals or water laterals. THE CITY HAS NO OBLIGATION TO PROVIDE WATER OR SEWER SERVICE TO ANY PROPERTY WITHIN THE DISTRICT REGARDLESS OF WHETHER THE CITY COUNCIL PROCEEDS WITH ALL OR ANY PART OF THE PROJECT.

Such basis of assessments has been designated by the City Council in the Creation Ordinance heretofore adopted. The portion of the costs to be assessed against, and the maximum amount of benefits estimated to be conferred upon each lot, tract or parcel of land or property in the District is stated in the final assessment roll. The City Council has determined that each of these tracts will receive special benefits (and corresponding market value increases) from the improvements in the Project.

The City Council will meet to hear and consider all complaints, protests, and objections to said final assessment roll, to the amount of the assessments, and to the regularity of the proceedings in making such assessments, by the owners of the property specially benefited by, and proposed to be assessed for, the improvements in the District. Any person interested and any parties aggrieved by such assessments may be heard on Wednesday, November 18, 2009, at 9:00 a. m. at the City of Las Vegas Council Chambers, 400 Stewart Avenue, in Las Vegas, Nevada. Any complaint, protest, or objection to the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount thereof levied on each lot, tract or parcel of land, shall be deemed waived unless filed in writing with the City Clerk, on or before Friday, November 13, 2009, i.e., at least three days prior to the date set for the assessment hearing.

At the time and place so designated for the hearing, the City Council shall hear and determine all complaints, protests, and objections to the regularity of the proceedings in making such assessments, the correctness of such assessments, the amount levied on any particular lot, tract or parcel of land to be assessed, the amount of the benefits and corresponding market value increases, which have been so made in writing or verbally. The City Council shall further have the power to adjourn such hearing from time to time, and by resolution shall have power, in its discretion, to revise, correct, confirm, or set aside any assessment and to order that such assessment may be made de novo. The owners of the property to be assessed are advised that this is the final chance to present any evidence as to the amount of the assessments (or other matters to be considered at the hearing) to the City Council. If a person objects to the final assessment roll or to the proposed assessments:

- (1) He is entitled to be represented by counsel at the hearing;
- (2) Any evidence he desires to present on these issues must be presented at the hearing; and
- (3) Evidence on these issues that is not presented at the hearing may not thereafter be presented in an action brought pursuant to NRS 271.395.

Assessments shall be due and payable at the office of the City Treasurer without interest and without demand within 30 days after the ordinance levying the assessments becomes effective. All or any part of such assessments may also, at the election of the owner, be paid thereafter in forty (40) substantially equal semi-annual installments of principal and interest until paid in full, with interest in all cases on the unpaid and deferred installments of principal from the effective date of the assessment ordinance. After the adoption of the assessment ordinance and before assessment bonds are issued (or if bonds are not issued) the City shall provide the maximum rate of interest on the unpaid and deferred installments of assessments. If assessment bonds are sold, such rate will not exceed by more than one percent (1%) the highest rate of interest on the assessment bonds for the District. The effective interest rate on the assessment bonds of the District will not exceed the statutory maximum rate, i.e., will not exceed by more than three percent (3%) the "Index of Twenty Bonds", which is most recently published before the time bids for such bonds are received, or at a time a negotiated offer for the sale of such bonds is accepted. Penalties, at the rate of two percent (2%) (or at any higher rate authorized by statute, or any lower rate, which may be zero percent, for such period as determined by the City Director of Finance and Business Services) per month (not prorated for any portion of the month) on the unpaid balance of the assessment and accrued interest, shall be due for delinquencies. The owner of any property not in default as to any assessment installment or payment may, at any time, pay the whole or any installment of the unpaid principal with interest accruing thereon to the next interest payment date and the payment of a penalty for such prepayment of up to three percent (3%) of the installment or installments of principal so prepaid. The City Council, in the ordinance levying the assessments, will establish a prepayment penalty or premium of up to three percent (3%) of the principal of deferred installments so prepaid.

Pursuant to NRS 271.357, the City has established a procedure to allow any person whose principal residence will be included in the District to apply for a hardship determination. A person whose application for a hardship determination has been approved by the City Council is entitled to have the principal amount of the assessment postponed, but is required to pay the interest on the unpaid balance of the assessment at the same rate and upon the same terms as established by the City for the assessments. A person desiring to apply for a hardship determination shall file an application no later than November 13, 2009, with the Clark County Department of Social Services (CCSS), 1600 Pinto Lane, Las Vegas, Nevada 89106. Please contact CCSS at (702) 455-8687 for a pre-qualification screening.

Pursuant to NRS 271.395, within 15 days immediately succeeding the effective date of the assessment ordinance to be adopted following the hearing, any person who has filed a complaint, protest, or objection in writing shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside such determination. Thereafter, all actions or suits attacking the regularity, validity, and correctness of the proceedings, of the final assessment roll, of each assessment contained therein, and of the amount of the assessment levied on each tract, including, without limiting the generality of the foregoing, the defense of confiscation, shall be perpetually barred.

Dated this 21st day of October, 2009


BEVERLY K. BRIDGES, CMC
City Clerk